

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

APR 18 2013

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

MAURICIO CHAVEZ, individually and
on behalf of all others similarly situated;
ZANETTA TADDESSE-BONSIGNORE,
individually and on behalf of all others
similarly situated; VINCENT
BONSIGNORE, individually and on
behalf of all others similarly situated,

Plaintiffs - Appellants,

v.

NESTLE USA, INC., a Delaware
Corporation,

Defendant - Appellee.

No. 11-56066

D.C. No. 2:09-cv-09192-GW-CW

ORDER

Before: GOODWIN, KLEINFELD, and SILVERMAN, Circuit Judges.

The panel has voted to deny the petition for rehearing. Judge Kleinfeld
voted to grant the petition for rehearing. Judge Silverman voted to deny the
petition for rehearing en banc, and Judge Goodwin recommended denial. Judge
Kleinfeld recommended granting the petition for rehearing en banc.

The full court has been advised of the petition for rehearing en banc and no active judge has requested a vote on whether to rehear the matter en banc. Fed. R. App. P. 35.

The petition for rehearing is DENIED and the petition for rehearing en banc is DENIED.